

Senate Bill No. 1081

CHAPTER 438

An act to add Section 65302.6 to the Government Code, relating to land use.

[Approved by Governor September 11, 1996. Filed
with Secretary of State September 12, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1081, Leslie. Land use: frontier counties.

Existing law generally imposes land use and planning requirements on cities and counties, including the requirement that each city and county prepare and adopt a comprehensive, long-term general plan for its physical development, as specified. Existing law requires that the general plan contain certain mandatory elements, including a housing element, and specifies the contents and manner of adoption of that and the other mandatory elements.

This bill would designate as a "frontier county" any county with a population of less than 35,000 as of January 1, 1997, that has at least 50% federal land ownership, and that has issued less than 250 building permits in 1995, as specified.

This bill would make legislative findings and declarations that the provision of basic health, welfare, land use planning, and economic development programs by rural counties is a matter of statewide interest. Further, the bill would state legislative intent to protect the economic viability, and health and safety of specified rural counties by studying ways to reduce the burden of preparing and adopting housing elements. The bill would require the Department of Housing and Community Development to report to the Legislature, by January 1, 1998, its recommendation regarding adapting housing element requirements to the conditions, needs, and opportunities of frontier counties, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 65302.6 is added to the Government Code, to read:

65302.6. (a) The Legislature finds and declares that the provision of basic health, welfare, land use planning, and economic development programs by rural counties is a matter of statewide interest. The administration of statewide programs by counties is presently achieved pursuant to state regulations and mandates imposed by the state. Accordingly, it is the intent of the Legislature in enacting this section to protect the economic viability, and health

and safety of specified rural counties by studying ways to reduce the burden of preparing and adopting housing elements.

(b) As used in this section, “frontier county” means a county that satisfies each of the following requirements:

(1) The county has a population of less than 35,000 residents as of January 1, 1997, as estimated by the Demographic Research Unit of the State Department of Finance.

(2) At least 50 percent of the area within the boundaries of the county is owned by the federal government.

(3) The county has issued less than 250 building permits for the construction, installation, or renovation of dwelling units, including mobilehomes, in 1995.

(c) On or before January 1, 1998, the Department of Housing and Community Development shall report to the Legislature its recommendations for adapting the requirements of Article 10.6 (commencing with Section 65580) to the conditions, needs, and opportunities of frontier counties, including, but not limited to, the preparation and self-certification of housing elements by frontier counties.

